

Regular Session, 2009

HOUSE BILL NO. 185

BY REPRESENTATIVE CORTEZ

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/AUTOMOBILE: Prohibits insurers from refusing to bind or sell collision or comprehensive automobile coverage when there is possible pending tropical storm or hurricane exposure

1 AN ACT

2 To enact R.S. 22:1289.1, relative to automobile insurance policies; to prohibit insurers from
3 refusing to issue automobile insurance policies to certain purchasers based solely
4 upon an impending named tropical storm or hurricane; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1289.1 is hereby enacted to read as follows:

8 §1289.1. Automobile insurance policies; discrimination based upon impending
9 weather conditions

10 No insurer shall refuse to issue an automobile insurance policy providing
11 collision or comprehensive coverage on a newly purchased motor vehicle to an
12 otherwise qualified purchaser who is an existing automobile policyholder based
13 solely upon an impending named tropical storm or hurricane in the Gulf of Mexico.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Cortez

HB No. 185

Abstract: Prohibits insurers from refusing to issue automobile insurance under certain circumstances.

Proposed law prohibits insurers from refusing to issue an automobile insurance policy providing collision or comprehensive coverage on a newly purchased motor vehicle to an

otherwise qualified purchaser who is an existing automobile policyholder based solely on an impending named tropical storm or hurricane in the Gulf of Mexico.

(Adds R.S. 22:1289.1)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Insurance to the original bill.

1. Removes prohibition on refusing to issue a policy on a trade-in motor vehicle.
2. Additionally requires that the purchaser be otherwise qualified and an existing automobile policyholder.
3. Provides that refusal to issue the policy not be based solely on an impending named tropical storm or hurricane in the Gulf of Mexico.